

## FARGO CITY COMMISSION AGENDA

Monday, October 8, 2018 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/streaming](http://www.FargoND.gov/streaming). They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Amendment of September 10, 2018 Regular Meeting; Approval of September 24, 2018 Regular Meeting).

### **CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Amending Section 23-0211 of Article 23-02 of Chapter 23 of the Fargo Municipal Code Relating to the Electrical Code.
- 2. 1st reading of the following Ordinances:
  - a. Amending Section 8-1009 of Article 8-10 of Chapter 8 of the Fargo Municipal Code Relating to Parking Regulations.
  - b. Amending Sections 38-0101, 38-0103, 38-0105, 38-0106 & 38-0107, of Article 38-01 of Chapter 38 of the Fargo Municipal Code Relating to Street Lighting and Traffic Control Devices System.
- 3. 2nd reading and final adoption of the following Ordinances; 1st reading 8/24/18:
  - a. Amending Section 8-1425, of Article 8-14 of Chapter 8 of the Fargo Municipal Code Relating to Bicycles.
  - b. Amending Section 01-0305, of Article 01-03 of Chapter 01 of the Fargo Municipal Code Relating to General Provisions.
  - c. Enacting Article 3-23 of Chapter 3 of the Fargo Municipal Code Relating to Collection of Utilities and Services.
- 4. Agreement (Hoffman Glass Pile) with Dak Real Estate Holdings, Inc. for removal of glass pile.
- 5. Easement Release Agreement with Southeast Cass Water Resource District, State of North Dakota, Oak Grove Foundation Properties, LLC and Park Christian School, Inc.
- 6. Receive and file Summons in the matter of James Peter Sabo vs. City of Fargo.
- 7. First Amendment to Roberts Common Condominium – Declaration Establishing a Plan of Condominium Ownership and Pet Area Access Easement Agreement with DFI Roberts LLC.
- 8. Applications for property tax exemptions for improvements made to buildings:
  - a. Ellen and Rodney Shafer, 215 8th Street South (5 year).

- b. Mary Steussy, 301 20th Avenue North (5 year).
  - c. Paul J. and Ann L. Jarvis, 172 North Woodcrest Drive North (5 year).
  - d. Ryan and Krista French, 1226 Oak Street North (5 year).
  - e. Craig A. and Nichole L. Brandenburger, 1329 2nd Street North (5 year).
  - f. Nathan R. and Susan A. Brenneman, 3226 Bohnet Boulevard North (5 year).
  - g. Stephen J. and Nowelle Kisser, 1032 3rd Street North (5 year).
9. Applications for Games of Chance:
- a. Lewis and Clark Elementary PTA for a raffle on 10/26/18.
  - b. Jefferson Elementary PTA for a raffle on 10/26/18.
  - c. Kappa Psi Pharmaceutical Fraternity for a raffle on 10/15/18.
  - d. Home Builders Care of Fargo-Moorhead Foundation for a raffle on 3/22/19.
  - e. Homeward Animal Shelter for a raffle on 10/19/18.
  - f. The Village Family Service Center for a raffle and raffle board on 11/16/18.
  - g. Eagles Elementary PTA for bingo on 10/16/18, 11/02/18, 2/1/19 and 4/5/19.
10. 2019 City Commission meeting schedule.
11. Bid award for food and beverage paper goods at the FARGODOME (RFP18241).
12. First Amendment to Agreement with Ovations Food Services, LP d/b/a Spectra Food Services and Hospitality.
13. Court Services Contract (Transfer of Municipal Cases for Jury Trial) with the State of North Dakota.
14. Notice of Grant Award with the ND Department of Health for the WIC Program (CFDA #10.557).
15. Notice of Grant Award with the ND Department of Health for Regional Public Health Network Implementation (CFDA #93.758).
16. Grant Agreement with Lutheran Social Services of North Dakota for nurse case management for tuberculosis infection.
17. Agreement for Services with Child Care Aware of North Dakota to provide training opportunities to licensed child care center staff to meet annual health code training requirements.
18. Notice of Grant Award with the ND Department of Health for increasing breastfeeding rates/reducing overweight and obesity program (CFDA #93.994).
19. Agreement for Services with the American Lung Association for tobacco prevention activities.
20. Agreement for Services with ShareHouse for tobacco prevention activities.
21. Agreement for Services with Southeast Human Service Center for tobacco prevention activities.
22. Benefit renewals, as outlined, effective January 1, 2019.

23. Set November 5, 2018 at 5:15 p.m. as the date and time for a hearing on a dangerous building at 826 10th Street North.
24. Agreement with Plains Art Museum to provide the Bring Her Home exhibit at the Main Library.
25. Bid award for the purchase of one 4-ton hot patcher asphalt trailer (PBCSM1647C).
26. Request to extend the 2018/2019 snow hauling contracts with Master Construction, Diesel Dogs Trucking and Industrial Builders for the 2018/2019 snow season (RFP17012, RFP17013 and RFP17014).
27. Bid award for the purchase of one Spartan Fire Pumper (PBC18071).
28. Bid award for the Landfill Gas Compression Plant Expansion (Project No. SW16-03).
29. ND Department of Transportation State Aid for Public Transit Agreement in the amount of \$494,275.00 (Contract #38181487).
30. Section 5339 Bus and Bus Facilities Grant Program application.
31. Negative Final Balancing Change Order No. 3 in the amount of -\$21,266.18 for Project No. FM-14-63.
32. Change Order No. 2 for an increase of \$13,245.00 and a 13-day time extension for Project No. FM-15-F2.
33. Change Order No. 3 for an increase of \$2,023.68 for Project No. FM-15-K1.
34. Selection of AE2S to perform the electrical design services for Project No. MS-18-J0.
35. Engineering Services Agreement Amendment No. 1 with Houston Engineering in the amount of \$396,182.00 for Project No. FM-14-71.
36. Bid award for Project No. WA1753.
37. Sole Source Procurement with Hydro Klean for pipe cleaning at the Water Treatment Plant (SSP18163).
38. Change Order No. 20 for an increase of \$181,730.00 for the general construction contract Project No. WA1301.
39. Contracts and bonds for Project Nos. BP-00-43 and UR-18-A1.
40. Bills.
41. Memorandum of Offer to Landowner – Temporary Easement (Construction) with West Fargo Investments, LLC for Improvement District No. BN-19-A1.
42. Memorandum of Offer to Landowner – Temporary Easement (Construction) with Julie L. Vetter and Aaron D. Olson for Improvement District No. BN-19-A1.
43. Change Order No. 1 for an increase of \$145,301.00 for Improvement District No. BN-17-A3.

44. Negative Final Balancing Change Order No. 1 in the amount of -\$10,932.93 for Improvement District No. BR-16-E1.
45. Change Order No. 1 for an increase of \$34,991.04 for Improvement District No. PR-18-C1.
46. Change Order No. 1 for an increase of \$30,375.00 for Improvement District No. SL-17-B1.
47. Time Extension to 5/1/18 for Improvement District No. BN-18-A1.
48. Utility Relocation and authorize payment to Cable One in the amount of \$14,707.38 for Improvement District No. DN-18-A1.
49. Early entry of Improvement District No. BN-19-A1 to the 2019 CIP.
50. Create Improvement District No. BN-19-A.
51. Bid award for Improvement District Nos. FM-14-8 and UN-18-C1.

**REGULAR AGENDA:**

52. Receive and file an Ordinance Enacting Article 39-01 of Chapter 39 of the Fargo Municipal Code Relating to Collection of Utilities and Services.
53. State Water Commission requests for Cost Reimbursement for FM Diversion Flood Project Costs:
  - a. Costs totaling \$9,786.00.
  - b. Costs totaling \$6,314.00.
54. Public Hearings - 5:15 pm:
  - a. CONTINUE to 11/5/18 - Application filed by Enclave Development LLC for a payment in lieu of tax exemption (PILOT) for a project located at 312 11th Street North, which the applicant will use in the operation of 60-75 housing units and amenity space; continued from the 8/27/18 and 9/10/18 Regular Meetings.
  - b. Text Amendment to amend Section 20-0504.G of Article 20-05, of the Fargo Municipal Code (Land Development Code), relating to the measurement of building height; approval recommended by the Planning Commission on 9/4/18.
    1. 1st reading of Ordinance.
  - c. Zoning Change from MR-1, Multi-Dwelling Residential to SR-5, Single-Dwelling Residential (2127 58th Avenue South); approval recommended by the Planning Commission on 9/4/18:
    1. 1st reading of rezoning Ordinance.
  - d. Larkin Addition (3949 37th Avenue South; 3555 and 3611 38th Street South; and 3552 and 3600 39th Street South); approval recommended by the Planning Commission on 5/1/18:
    1. Zoning Change from AG, Agricultural to LI, Limited Industrial.
    2. 1st reading of rezoning Ordinance.
    3. Plat of Larkin Addition.

- e. Special Assessment lists for the following Improvement Districts, all having been approved by the Special Assessment Commission on 9/5/18; set the interest rate at 1% per annum over the net rate on bonds financing said projects:
1. Park District Assessment Improvement District No. 7151.
  2. Park District Assessment Improvement District No. 7152.
  3. Park District Assessment Improvement District No. 7153.
  4. Park District Assessment Improvement District No. 7154.
  5. P.C. Concrete Alley Paving Improvement District No. AN-17-A.
  6. Sanitary Sewer, Water Main, Storm Sewer, Paving, Street Lights Improvement District No. BN-17-G.
  7. Sanitary Sewer, Water Main, Storm Sewer, Asphalt Paving, Concrete Curb and Gutter, Street Lights Improvement District No. BN-17-H.
  8. Water Main Replacement, Force Main Construction, Street Reconstruction Improvement District No. BR-16-C.
  9. Water Main Replacement, Force Main Construction, Street Reconstruction Improvement District No. BR-17-B.
  10. Flood Mitigation, Water Main Replacement, Force Main Construction, Street Reconstruction Improvement District No. FM-14-92.
  11. Flood Mitigation, Water Main Replacement, Force Main Construction, Street Reconstruction Improvement District No. FM-14-93.
  12. P.C. Concrete Pavement, Curb and Gutter, Storm Sewer, Sanitary Sewer, Water Main, Street Lighting Improvement District No. PN-15-A.
  13. P.C. Concrete Pavement, Bridge Widening, Storm Sewer, Sanitary Sewer, Water Main, Street Lighting, Traffic Signals Improvement District No. PR-17-A.
  14. Asphalt Mill and Overlay Improvement District No. PR-17-H.
  15. Street Lighting and Incidentals Improvement District No. SL-16-A.
  16. Street Lighting and Incidentals Improvement District No. SL-16-B.
  17. Street Lighting and Incidentals Improvement District No. SL-17-E.
  18. Street Lighting and Incidentals Improvement District No. SL-17-F.
  19. Street Lighting and Incidentals Improvement District No. SL-17-G.
  20. New Construction City Sidewalks Improvement District No. SN-17-A.

55. Recommendation for appointment to the Arts and Culture Commission.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).